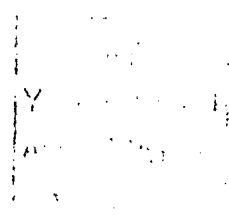


# **Human Rights, State Crimes and Social Networking**

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## **ABSTRACT**

In January 2011, the rising number of protests and revolutions in North Africa and Middle East represented a significant issue of human rights protection to the whole world. Typical revolutionary countries, such as Egypt, Libya, Tunisia, have similar political regimes and historical social conflicts. One speciality in these revolutions was that social networks, especially those on the internet, played a key role in their outcomes.

The purpose of this study is to explore the impact of new communication technologies on protecting human rights from state violations. The thesis explores human rights in their historical context, while aiming to contribute to an understanding of how the new communication technologies, such as social networking, promote human rights protection. A discussion of the concept of “state crime” and “state defined political crime” highlights the blocking of human rights protection in particular countries.

This thesis analyses the impact of social networking on human rights protection against the state through a case study of the recent Egyptian revolution. It provides an extended analysis of advantages of social networking, and concludes with a theoretical explanation of its impact on human rights protection.

## **Contents**

<b>Introduction</b>	<b>6</b>
<b>Chapter 1</b>	
History, evolution and types of human rights violation	8
<b>Chapter 2</b>	
Social networking	27
<b>Chapter 3</b>	
Egypt: a case study	37
<b>Chapter 4</b>	
Theoretical interpretation and conclusion	59
<b>References</b>	

**List of Figures**

Figure 2.1 Searching of social networking	29
Figure 2.2 Searching of Facebook	30
Figure 2.3 Searching of Twitter	31
Figure 2.4 Searching of YouTube	31

**List of Tables**

Table 3.1 Distribution of complaints according to the rights subject of violations of 2009 in Egypt	46
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## **Introduction**

The human rights issue has been a historical problem in the world. Basic human rights include political rights and civil rights, such as rights of life, rights of security, rights of property, rights of freedom and so on. Violations are usually involved when it comes to state criminality, especially in undemocratic states. For instance, there are different categories of states such as repressive state, criminal state, and corrupt state and so on. The exposure of the human rights violation by the state or governmental officials threatens the state's governance and public order, so the pressure to maintain denial of human rights increases.

Wrongdoing in the state arena can be divided, most broadly, into crimes against the state and crimes by the state. Crimes in the first category, such as treason, sedition, theft of government property or terrorism, are soundly condemned and severely punished. Equally or more injurious actions such as torture, aggressive war or political repression committed in the service of state goals are typically either not criminalized by the offender state, or if criminalized, typically investigated and/or prosecuted only after they have served their purpose or failed to advance state interests (Michalowski, Chambliss and Kramer 2010). However, human rights involved in these state actions are usually denied. If the violation is not prohibited by the government, so it could not have occurred. The social media and human rights observer are seen to be selective, biased, working from a hidden political agenda, and easily manipulated by the state. There is no evidence to prosecute, not even a sign of a crime. The physical acts of abduction, torture and execution are complemented by the speech act of denial; otherwise terms such as 'arrest' or 'detention' could have been used (Cohen 2001).

Moreover, such denial of human rights violation is more credible to foreign audiences. For instance, the sources of information are unknown or limited; patron states or

organisations are willing to look the other way; things are too complicated to understand and much easier for the criminal state to cover (Cohen 2001). Therefore, either international human rights institutions or inner-state people who want to condemn the criminal state need to prove the reliability, objectivity and credibility of the violation. Meanwhile, exposure of human rights violation committed by the state is requested, in order to keep the international visibility and transparency, and make it evident enough to condemn and prosecute a criminal state.

With the changes in information technology and communications over the last few decades, the transnational human rights discourses have become more prevalent and consequential. The social network has become a ubiquitous social, political, and legal category within which ordinary social actors pursue human rights, public health, economic development, and other strategies (Goodale and Merry 2007).

Using new communication technologies such as social networking could expose the raw facts that something did happen. For example, people were killed, injured or detained without trial, and other witness can upload related information to website, so that people from the world would know what happened. This is also thought to be a way to increase the effect of social reaction, making it possible to put pressure on the criminal state and prevent potential human right violations.

With the development of social networking, a promotion of different engagement structures has been demonstrated (Ward 2008). Individuals are provided with opportunities that show them how to participate in issue-based activism, such as on human rights. For instance, the revolutions that happened early this year (2011) suggested that social networking did play a key role in protecting and fighting for human rights. This extensive attention should be attributed to the impact of social networking, which is a typical example of new communication technologies that help human rights protection.

## **Chapter 1**

### **History, evolution and types of human rights violation**

#### **Introduction**

This chapter provides an outline and review of human rights and theories in state crimes and state defined political crimes. It describes the historical context in which human rights violation emerged. It also illustrates the basic principles and concepts of state criminality.

The aim of this chapter is to introduce basic issues relating to human rights violations and protection in the historical context, in order to provide one major background of the whole thesis. The first part of the chapter serves to introduce the evolution of human rights and the development of human rights protection. The second part is to differentiate the many criminological perspectives on state crimes which involve human rights violations, introducing the general typology of criminal states. The third part introduces a general theory of state defined political crime, which also involves human rights violation in some degree. The chapter outlines the situation of human rights violation in general and in particular type of states.

#### **1.1 Brief history of human rights.**

‘Human rights’ is a concept that has been constantly evolving throughout human history (Donnelly 2003 P10). Tracing the evolution of human rights is a politically charged issue (Ishay 2004 P6). Because the concept of human rights cannot be separated from the context, it has been intricately tied to the laws, customs and religions throughout the ages.

##### *1.1.1 Early human rights ideas, philosophical ideas, and religions.*

Early ideas about general human rights thus did not originate exclusively in one



location like the West or even with any particular form of government like liberal democracy, but were shared throughout the ages by visionaries from many intellectually rich cultures in many lands who expressed themselves in different ways. Although it is necessary to guard against the shallow and unhistorical view that all societies somehow have always subscribed to the same basic beliefs and values, it is also essential to recognize that the moral worth of each person is a belief that no single civilization, or people, or nation, or geographical area, or even century can claim as uniquely its own (Lauren 2003).

When approaching the subject of human rights, it turns to early philosophical writings (Clapham 2007). It was in ancient Greece where the concept of human rights began to take a great meaning. Human rights became synonymous with natural rights, rights that spring from natural law. This idea of natural rights continued in ancient Rome, where the Roman jurist Ulpian believed that natural rights belonged to every person, whether they were a Roman citizen or not.

In human rights thinking, the idea that everyone deserves some decent treatment and respectful regard plays a major role. It probably firstly came to such thinking through the influence of the major religions. Most of the world's major religions support the idea that each human person has worth and value, and should be treated with a measure of dignity and respect (Orend 2002 P191). For instance, Geoffrey Robertson makes useful points to recommend that the Ten Commandments as rules for moral and spiritual behaviour, imply certain basic rights. Later, Aquinas and Augustine talked about the equality of people before God. They affirmed laws, and believed that human dignity and value are innate properties which are validated according to natural law (O'Byrne 2003 P28-29). Aquinas also redefined the system of natural law as being divinely willed, and posited the duality of human existence wherein all people were subject both to the authority of humankind and to the authority of God (Lauren 2003).

It is not surprising that human rights took a long period of time to be established and

developed. Human rights possessed many of the characteristics of the main religious faiths. Then, the essential precepts of these religions were trampled underfoot by opponents and followers alike. Their most sacred principles were violated, nevertheless they continued to expand, and they stand out as one of the great forces of natural law.

### *1.1.2 Important ideas before 1900s.*

More direct origins of human rights thinking showed in the works of European Enlightenment philosophers. Thomas Hobbes (1588 – 1679) argued for the right of the monarch to rule. He was also claiming that the individual subject has the basic right to security, and the state itself is formed out of recognition of this basic right (O’Byrne 2003). According to Hobbes, an implacable opponent of individual freedom was a once-and-for-all surrender of individual power (Geoffrey Robertson 2008). As one of his attacker, John Locke (1632 – 1704) suggested the ownership of natural rights, which belong to all people by virtue of the fact that we are human (O’Byrne 2003). According to Locke, these rights are shared by all people, by which means equality; these rights are inalienable and cannot be removed by any political authority (O’Byrne 2003). For him, the people’s consent to government was continuous and capable of being withdrawn if that government broke the purpose of the compact, which was to further their majority interests. He developed the principle that government was by popular consent, and was contingent upon a commitment to protect liberty (Geoffrey Robertson 2008).

In eighteenth century, Locke’s philosophical argument was embraced and developed by leading European intellectuals. By the middle of the century, they had begun to identify ‘universal’ rights, including the liberty of the press, and the right not to be subjected to torture (Donnelly 2003). During late eighteenth century, the idea of the ‘liberty of the individual’ had become a key political aim to fight for. It was a prediction and also a restriction for those struggles, such as the American Revolution and the French Revolution. They laid down a legacy of ‘rights’ which was the

precursors of contemporary human rights as institutionalized in human rights legislation. Both the Declaration of the Rights of Man and the Citizen following the 1789 French Revolution and the incorporation of the 1791 Bill of Rights into the US Constitution left enormously important and influential models for the future of human rights in Western societies.

### *1.1.3 Evolution in 1900s and after.*

In the twentieth century, the wide spread popular cynicism about the claims of governments and international organisations about human rights was shared by some of the greatest political and legal philosophers (Douzinas 2000). The idea that history be a single unified process which moves towards the aim of human liberation is no longer credible, and the discourse of rights has lost its earlier coherence and universalism. Ideas of conflict developed in this period, three modern forms of conflict were identified, including conflict within self, conflict with others and conflict with nature, which were associated with psychological manipulation (Douzinas 2000).

It was not until 1940s that human rights became a common topic of international conversation. With the onset of World War II and in response to the ideological challenge of fascism, human rights took shape as a distinct and coherent set of ideas and eventually found expression within the legal and institutional framework of the United Nations (Normand and Zaidi 2008). After the Second World War, the United Nations Universal Declaration of Human Rights in 1948 was framed, which placed a significant role in the creation of a universal system of human rights. It firstly termed crimes in the Second World War as 'crimes against humanity'. The logic was that future state agents who authorized torture or genocide against their own populations could be held criminally responsible in international law and might be punished in any court capable of capturing them. For the first time it could be said that individuals had a right to be treated with a minimum of civility by their own governments (Carrabine, Cox, Lee, Plummer and South 2009).

#### 1.1.4 Conventions of human rights protection

With conventions like Universal Declaration, the idea of human rights triumphed in principle. According to United Nations Universal Declaration of Human Rights (1948), general fundamental human rights that states should not violate include the right to life, liberty and security, the right to work and to leisure (Friedrichs 1996).

For instance, in *Universal Declaration of Human Rights* (1948) (UN 1993:1), basic human rights have been formulated:

“Article 3: everyone has the right to life, liberty and security of person.”

“Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

“Article 9: No one shall be subjected to arbitrary arrest, detention or exile.”

“Article 19: Everyone has the right to freedom of opinion and expression, this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

“Article 20: Everyone has the right to freedom of peaceful assembly and association.”

“Article 22: Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organisation and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.”

These articles are recognised as international rules of human rights, while there are specific conventions that regulate human rights as well. For example, *Declaration on*

*the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (1975) (UN 1993: 290):

“Article 2: Any act or torture or other cruel, inhuman or degrading treatment or punishment is an offence to human dignity.....and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights.”

“Article 11: there it is proved that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed by or at the instigation of a public official; the victim shall be afforded redress and compensation in accordance with national law.”

There are also other international conventions and international humanitarian laws aimed at human rights protection. For example, the *Convention on the Prevention and Punishment of the Crime of Genocide* (1948) is one international convention that describes genocide as a crime under international law; *The Laws of War on Land* (1880), and *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (1984).

However, in practice these rights were still not always observed. The charter's pledges on human rights were severely restricted, in that the duty was to promote human rights not to guarantee them as a matter of law for all citizens (Carrabine, Cox, Lee, Plummer and South 2009 P432-433).

## **1.2 State crime**

One typical example of crime involving human rights violation is state crime. According to Green and Ward (2000: 27.1), the term “state crime” should be restricted to the area of overlap between two distinct phenomena: (1) violations of human rights and (2) state organizational deviance.

As White and Perrone (2010) argued, state crime involves harms associated with gross violation of human rights and commission of serious criminal offences. According to Stanley Cohen, who had the similar perspective, 'state crime' covers violations of human rights. For instance, from the human rights perspective, genocide, mass political killings, state terrorism, torture, disappearances are violations of human rights. However, when it comes from the discourse of criminology, those actions can be identified as criminal offences like murder, rape, espionage, kidnapping, assault and so on (Cohen 1993). In addition, as Green and Ward (2004) argued, state crime can be defined as state organisational deviance. Penny Green (2010) argued that the definition of state crime is embedded in a normative human-rights framework combined with criminological conceptions of deviance, which is more complex and encompassing than illegality.

State crimes can be committed by governmental officials, national security agents, police and the military, which can be representative of the state. Examples of crimes committed by government officials include activities undertaken within state organisations such as the FBI and CIA. For instance, Operation Abscam was a United States Federal Bureau of Investigation (FBI) sting operation run from the FBI's Hauppauge, Long Island, office in the late 1970s and early 1980s. The operation initially targeted trafficking in stolen property but was converted to a public corruption investigation. According to Operation Abscam, the most extensive and probably the most controversial investigation of corruption among United States government officials, FBI undercover agents approached persons thought to be involved in political corruption. Another governmental office in the U.S., the CIA, transfers people to other countries in order to torture them there, which is classified as extreme rendition.

Other typical types of crimes committed by the state are like aggressive war or other inhuman acts. For example, genocide, the mass destruction or annihilation of populations, either in a nationwide or in an ethnic group, is the ultimate example of violence and human rights violation by government (Hagan 1997).

### *1.2.1 General typology of state criminality involve human rights violation*

State crime is different from general crimes. According to White and Perrone (2010), Kauzlarich and colleagues argued the definition of state crime, and categorised it as action and inaction. The complicity continuum they listed explicates that state crime could be commissions or omissions, either implicit or explicit. Friedrichs (1996) categories deviant state into four types: criminal state, repressive state, corrupt state and negligent state.

- The **criminal state** is most commonly applied to the ultimate criminal enterprise wherein the state is used as an instrument to commit crimes against humanity, such as genocide.
- The **repressive state** deprives its citizens' fundamental human rights, such as free speech, right to life, liberty and security.
- A **corrupt state** refers to a state used as an instrument to enrich its leadership, which includes financial gain, political power and social status.
- The **negligent state** is one in which "crimes of omission" are committed, including failure to prevent loss of human life, suffering, and deprivation that in fact is in its power to prevent (Barak 1991; Friedrichs 1996). Green and Ward (2004) also argued that negligence is another form of state deviance by governmental officials, that is, the gross failure of state agencies to pursue effectively their publicly proclaimed goals or to follow generally accepted professional standards.

Based on the combination of these theories, when identifying state criminality and human rights violations, it can be concluded that commission explicit crimes usually happen in criminal states involved in genocide and war. Both commission explicit crimes and omission implicit crimes could happened in repressive states, the former are like torture, media and free speech repression, assault and abuse upon citizens by

officials, while the latter include social inequality, human suffering caused by poverty, funding corporate destruction of cultures and communities and so on. Omission explicit state crimes like bureaucratic failure or malpractice by officials would be common in corrupt states and negligent states, and corrupt states also would have commission explicit crimes like graft and political corruption.

### *1.2.2 State repression*

Penny Green (2010) defines states' behaviour according to the perceptions of significant social audiences who identify and accept that a rule, which is widely understood as a standard of behaviour, has been breached. Such audiences might include non-governmental organisations (NGOs), other states, significant sections of the population, victim groups and transnational civil society; and the rule that has been breached might refer to domestic law, international law or social morality as determined by civil society and the state (Green 2010). Thus, social reaction to government is a significant sign of public order and social environment in every state, and the concept of repressive state mostly fits this definition of state crime.

Specifically, according to Friedrichs (1996), a repressive state systematically deprives its citizens of fundamental human rights, while repression and the deprivation of rights can occur in any type of political system. Human rights violations in a repressive state are injustice, fear, torture, discrimination, lack of liberty, pervasive material and spiritual corruption, poisonous propaganda, violent hatred, xenophobia, economic decay and aggression (Friedrichs 1996). In addition, as Friedrichs (1996) said, the principal motivating factor in the imposition of a repressive system of government is the extension or retention of power, often for its own sake. This happens especially in countries and regions under an autocratic regime. The major organisational form of autocratic governance is hybridization to undermine or co-opt independent civil society, imposed autocratic values while destroy democratic values and social ethics. Empowerment and advocacy in many aspects are restricted in such regimes. Transnational operations and resources are broadly restricted as well. In



addition, regulation in such regimes would be marked by intrusive oversight and regulation, impeding the development of civil society (Phillips and Smith 2011).

### *1.2.3 State corruption*

One of the theories that define state crime is based on national interest and the self-interest of officials. Criminologists Michael Gottfredson and Travis Hirschi (1990) define crimes as “acts of force or fraud undertaken in pursuit of self-interest”. They see crime as ordinary and mundane, stemming from human nature which focuses on pursuing pleasure and avoiding pain. Some sociological positivists define crime as instrumental behaviour directed toward achievement of valued goals (Gottfredson and Hirschi 1990). The typical example of state crime aiming at national or personal interest is corruption.

Corruption is the behaviour of public officials which diverges from the formal duties of a public role to serve private ends (Heidenheimer, Johnston and LeVine 1989). It includes two major categories: one is corruption for private gain, while the other is corruption for bureaucratic gain. In Friedrichs’ theory, a corrupt state refers to a state used as an instrument to enrich its leadership (Friedrichs 1996). In other words, it is used as an instrument to gain personal interest for its leadership. The personal interest includes both financial and political gain, and the leadership includes governmental officials, the president and his family members and allied families and groups.

According to White and Perrone (2010), corruption and doing thing to one’s financial advantage are typical criminal activities associated with crimes within the state. White and Habibis (2005) listed examples of state crimes within the state, which included graft and corruption such as illicit gain, bribes, misuse of public office for private purpose.

Corrupt states are typically third-world African countries, such as Egypt and Libya. The reason for corruption in these countries are various, such as extreme economic

inequality, a lack of disciplined leadership, extensive bureaucratic powers, cultural norms favouring tribal loyalties over integrity, and the absence of countervailing forces such as opposition parties or a free press (Friedrichs 1996)

### **1.3 State defined political crime**

Besides human rights violation in state crime, it should be noticed that there is another form of indirect human rights violation. It is widely known that in most autocratic and repressive states, citizens, especially human rights protectors, are likely to be treated as political criminals when they commit an illegal offense against the state with the intention of affecting its policies.

Political crimes can include both violent and nonviolent acts and range in seriousness from dissent, treason, and espionage to violent acts such as terrorism or assassination (Siegel 2008). It can be committed by individuals, groups and countries that want to change or dismantle a particular political or economic system, such as protests or revolutions in some repressive and autocratic countries.

However, it is subjective to define a political crime and someone as a political criminal (Siegel 2008), and now the political crime is a more far-ranging label than previously considered. A crime is political whenever the state uses laws or political power to punish or detain persons who are assumed to be a threat to the government and those in control of it (Clinard & Abbott 1973). In other words, it is the state that is more likely to be the one that define a political crime. In some repressive countries, for instance, China and North Korea, if there is suspicion that any forms of non-sanctioned activity be related to critical regime or policy, even just speeches or writings, it may be considered a political crime. In those cases, the political offender often does not define his or her actions as illegal. However, because those actions are treated as real or alleged threats to order or national security by the government, they are likely to be prosecuted as sedition and treason.

### *1.3.1 History of individual political crime*

Early states defined political crimes as crimes against political rulers and as ‘treason’: in Roman law, they were considered crimes against sacred authority. This encompassed acts of betrayal, challenges to political authority, sedition, assassination, hindrance of the official function, and usurpation of the state’s powers. Significantly, it also included conspiracy to act as well as the deed itself. Those accused of politically motivated crimes were likely to suffer gruesome public punishment, which was frequently much more exacting than sanctioned against ‘ordinary’ criminals (Muncie and McLaughlin 2001).

By the nineteenth century, however, politically motivated crime came to be redefined in Western Europe as an offence against the state. A consequence of the change in law was that the political offender came to be viewed in certain countries as motivated neither by private avarice nor by vindictiveness but by principled considerations such as opposing autocratic regimes in the name of liberal democracy or championing the cause of nationalism.

Prosecution difficulties can persist in countries where an oppressive regime has given way to a democratic one that has irrefutable evidence of monumental human rights violations. The crucial issue for successor governments is how to confront and explicate the crimes of the past committed by ‘intimate enemies’. There are very few situations in which the transfer of political powers is unproblematic and very few new governments are in a position to prosecute and punish without having to consider the political consequences. Political realism tends to prioritize the restoration of social order over justice and this requires a certain national amnesia if it is to succeed (Muncie and McLaughlin 2001).

### *1.3.2 Individual political prisoners*

Of most importance is that, according to Darren J O’Byren (2003), the phrase

‘political imprisonment’ is not a human rights violation. The primary human rights concern is how certain governments deal with – or dispose of – their political opponents. However, in some contexts, when the political imprisonment is aimed at limiting the opponent’s civil rights, such as free expression, it would then become a state crime involving human rights violations.

Early political prisoners were likely to be imprisoned because of religious criminality. Acts disruptive of the moral order of the community and the social structure were carried out against formal religion and the various institutions of supportive of religion, including its state and its agents (O’Byren 2003). Although political imprisonments were frequent in the world’s history, the term ‘political prisoners’ and the idea of ‘political crime’ have only emerged since nineteenth century, after the French revolution happened. Before then, most crimes against political rulers were defined as crimes against sacred authority; such offenders were usually punished using the most extreme, painful methods. The situation changed in nineteenth century. Political criminals were then seen as increasingly noble and motivated, and were punished with more lenient and political treatment than would apply to ordinary criminals.

However, after the First World War, attitudes towards political criminals became negative again; punishment became even harsher (J O’Byren 2003).

Today, it is believed that over half of the member states of the United Nations still hold political prisoners. Some political prisoners are also criminal prisoners, as they have broken the law, and many are terrorists. Others are like prisoners of conscience, who have been imprisoned solely because of their political or ideological beliefs or their social or physical characteristics (O’Byren 2003).

Besides prisoners of conscience, there are many political prisoners who are not classified with this term, such as ‘terrorists’ and ‘freedom fighters’, because they have used or advocated the use of violence. Moreover, state conflict often involves

attempts by one ethnic group or geographical unit to secede or break away from a country, or because of ideological differences over the purposes and policies of the state (Conteh-Morgan 2004).

### *1.3.3 General types*

A typology has been produced differentiating between state defined political crimes. These are usually aimed at civil rights, economic gain or political gain (Ross 2000). The issue of “political crime” enflames passions: anarchism, revolution, social agitation, strike movements, and demonstrations arouse extreme reactions (Mattelart 1996). Generally speaking, political crimes can be divided into two sorts based on the location and the target. According to Jeffrey Ian Ross, it consists of domestic political crimes and international illegality (Ross 2003).

Domestic political crimes are usually defined and formulated in domestic penal codes or criminal laws. The most common types of domestic political crimes are treason, sedition, sabotage, political dissent, and abuse of government. On the other hand, examples of international political crimes include espionage and terrorism (see Box 1.2).

## *Box 1.2*

### *Examples of Political Crimes*

- **Treason** is the crime aimed at combating disloyalty and keeping the allegiance of citizens.
- **Sedition** is the crime against the state which is committed to stir up others to overthrow the government by violence.
- **Sabotage** is the crime of destroying and damaging property for the purpose of interfering with and hindering preparations for and carrying on war and defence during national emergencies.
- **Espionage** is the secret observation by special agents of a foreign country on people or their activities or enterprises and intelligence gathering about such people, activities, and enterprises for political or military uses.
- **Terrorism** means violent acts or acts dangerous to human life that are a violation of the criminal laws of a state, or that would be a criminal violation if committed within the jurisdiction of a state.

However, this way of division for political crimes is not absolute, and most depends on the location and period when the political crime happened. Virtually all the crimes are political in that they challenge the existing power structure (Bonn 1984). However, only a small number are specifically defined as political crimes in penal codes. There is a commonsense distinction between political assassination and other murder, and between political kidnapping and kidnapping for ransom.

#### *1.3.4 Nature of state defined political crimes*

It is sometimes argued by conflict theory and radical criminology that the crime is caused by the social and economic forces of society (Vito, Maahs & Holmes 2006). According to George B. Vold (1979), many kinds of criminal acts must be recognized as representing primarily behaviour on the front-line fringes of direct contact between groups struggling for the control of power in the political and cultural organization of society. On the surface, the offenses may seem to be the ordinary common law ones

involving persons and property, but in the view of the state, they often are revealed as the acts of good soldiers fighting for a cause and against the threat of enemy encroachment (Vold, 1979).

George B. Vold also made some aspects of such criminal behaviours clear:

1. Numerous crimes result from the direct political reform type of protest movement, the ultimate form of which is rebellion or revolution.
2. Many crimes result directly from the clash of interests of company management and labour unions in that form of industrial conflict that are called strikes or lockouts.
3. Similar in nature but with a different focus for the conflict, numerous crimes result as incidental episodes in the jurisdictional disputes between different labour unions. Such disputes often involve intimidation and personal violence.
4. Numerous kinds of crimes result from the clashes incidental to attempts to change, or to upset the caste system of racial segregation in various parts of the world.

In these situations, it suggests the probability that there are many situations in which political criminality is the normal, natural response of normal, natural human beings struggling in understandably normal and natural situations for the maintenance of the way of life to which they stand committed (Vold, 1979). However, because the struggle might threaten the governance and national interest of the state, it usually is defined as a crime by the state.

In conclusion, in political crime, the symbolic meaning of the criminal act is more important than the act itself (Bonn 1984). It is the symbolic nature of the action that constitutes a threat to the order and security in a society. Therefore, it is usual that

states would define an action as a political crime because it might threaten the national interest, regime and dominate class to some extent.

#### **1.4 Protection of human rights in state crime.**

It is known that there is a group of international institutions that are intended to prevent inhuman acts and state crimes, especially state repression, aiming at protecting human rights. For instance, there is the United Nation and International Court of Justice (1946- ), Commission on Human Rights (1946-2006), and United Nations Human Rights Council (2006- ). There also have many international and domestic non-governmental organisations and individuals working on human rights protection.

However, it is notable that human rights in state crimes are usually hard to protect. Reasons for this are vary. First, it is common that a government explain their acts with an excuse of protecting the sovereignty, public order and national security. Prosecutions of state crimes may involve some unique difficulties. Indeed, any claim that governmental crimes have been committed is especially vulnerable to the charge of ideological bias, and at least some governmental actions will be defended as desirable policy by states (Friedrichs 2010). Governmental actions might also be excused with inner security and protect public order. For example, if a government official or agents committed human rights violation upon citizens such as assault, torture, the violation might be covered by the state and the victim might become a terrorist who threatened national security and public order. Thus, prosecution for crimes like these would be difficult.

Second, it is important to address how a specific state forms conceptualizes and utilizes this 'monopoly of violence' (Muncie and McLaughlin 2001). In theory, the democratic state's custodianship of violence is regulated and can only be deployed within clearly defined parameters. Internally, nation state violence is transformed into 'legitimate force' by being bound by the rule of law, the constitutional civil and



human rights of the citizenry, and through its institutionalization in policing and military bureaucracies that are governed by operational procedures and disciplinary codes of conduct (Muncie and McLaughlin 2001). In other words, traditional institutions of human rights protection are usually governmental control, such as police, courts and prison. When a human rights violation committed by governmental officials, it is likely that the state would deny the nature of crime of the action, and also be powerful to control protest against those violations in every legal procedure. Moreover, when adopting a state's own legal criteria to a crime, the state could eliminate state crime simply by giving its officials unlimited powers, or generate an alarmingly high "state crime rate" by holding its officials rigorously accountable to humane and strictly defined legal standards (Green and Ward 2000)

There are international institutions such as United Nation. However, because most charges and condemnation done by those institutions are not forcible to all countries in the world, it is still hard to define and to punish human rights violation acts and state crimes through traditional justice methods like courts or police. Based on the theory of Green and Ward, the improvement of human rights protection needs more social reaction to exert pressure on states that committed human rights violations. Therefore, in order to prevent states covering up criminal behaviours, better exposure of state crimes is required.

## **Conclusion**

Human rights violation and protection are historical and increasingly important issues related to crimes. As Stanley Cohen said, a denial of basic human rights should properly be called criminal (Cohen 2009). Types of state related crime can be categorised as crimes against the state and crimes by the state, both of which are realized to involve human rights violation.

State crimes violate human rights, such as rights of life, rights of personal security, and rights of free speech and so on. Comparatively speaking, state defined political

crimes might involve real human rights violation, while those behaviours also could be aiming at human rights protection. As Stanley Cohen (1993) argued, states would deny human rights. Therefore, some behaviour against the state would be defined as political crimes by some states because of threatening its governance.

In order to protect developing human rights, conventions have been formed, both international and domestic. However, because of governmental control, domestic legislations rarely regulate state crimes, but mostly define and punish political crimes. In the meantime, like Green (2010) said, social audiences define state criminality. In other words, when the state commits human rights violations, it would cause social reactions critiquing those behaviours. Different from the traditional legislation system, social reactions are less controlled by the state. However, the public needs good methods of exposing human rights violations to both domestic and the whole world. Therefore, social networking on the internet becomes a good choice.

## **Chapter 2**

### **Social networking**

#### **Introduction**

New communication technologies have been developed and widely used in the last decade. There are many examples, such as mobile phones and computers, especially the popular internet. As a typical example, the online social network has formed a new society for communication. With the changes in information technology and communications, transnational human rights discourses have become more prevalent and consequential.

This chapter discusses new communication technologies as a methodological approach in the contemporary practice of human rights protection, using social networking as a key example. The development of social reaction perspective on state crimes constitutes a rationale of human rights protection through social networking. The aim of this chapter is to provide a theoretical background of this new communication technology, demonstrating how it works and arguing its advantages for human rights protection.

#### **2.1 Concept**

Social networks are composed of actors (nodes) and their contacts. The relationship that connects them is called a tie. Networks can be considered as a whole, or comprising all actors within a population of interest plus all of their ties, and they can be characterized graphically or by using specific network measures (Matuschke 2008). Practically, social network is a social structure made up of individuals or organizations, which are connected by one or more specific types of interdependency, such as friendship, race or gender, relationship of beliefs or professions, and common

interests.

Although social networks are possible in person, they are common through social media, including the use of web-based and mobile technologies to turn communication into interactive dialogue, and the most popular way of networks is online.

One thing that must be mentioned is that social networking does not mean the same thing as social media, but is a category of it. Social networking tools allow people to share information about themselves and their interests with friends, professional colleagues and others by creating a profile and post contents that correspond to their areas of interest or expertise (Safko and Brake 2009). Social networking sites are simultaneously a “medium and an engine of social relation” in which community associations occur and are ordered in some way, and in which the distinctions between what information is private and what information is public is imprecise (Alemán & Wartman 2009). People gather on social networking sites and share their first-hand information and experiences. Members of these online social sites discuss ideas about recreation and politics, share experience in working and study. At the same time, because social networking sites are worldwide, people can also learn about new cultures and knowledge about other countries and people.

## **2.2 Evolution**

It can be argued that late 20th-century cultural shifts in the salience of identity were fertile ground or minimally a timely occurrence for the development of computer-mediated communication and especially so for the growth of online social networking sites (Alemán & Wartman 2009). The first wave of Web 2.0 (see Box 2.1) hype took ideological inspiration from *The Cluetrain Manifesto* since 1999. It conceptualized the Web as an essentially social place where people converge to trade goods and recognize each other as such from the sound of the voice. These networked conversations are enabling powerful new forms of social organization and knowledge

exchange to emerge (Levine, Locke, Searls and Weinberger 2001). Serendipitously, social networking sites such as Friendster and MySpace were starting to take off in the United States and transforming the way people socially interacted (Fraser and Dutta 2008). Add to this new sense of purpose social networking, the power of the Internet, and tools like blogs and cell-phone text messaging, and it's clear that activist organizations sit on the cusp of unprecedented power and change (Fine 2006).

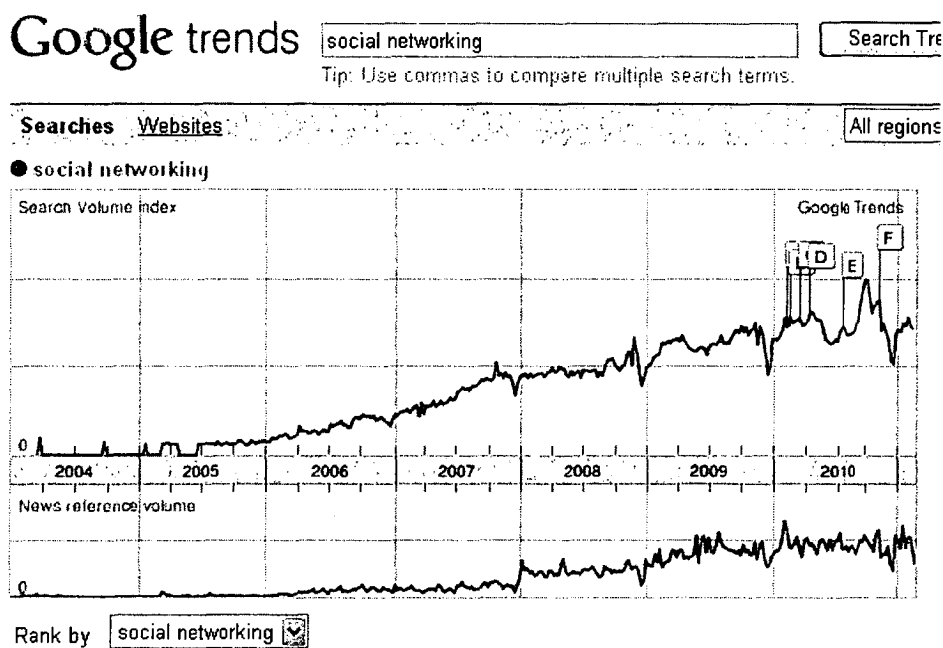
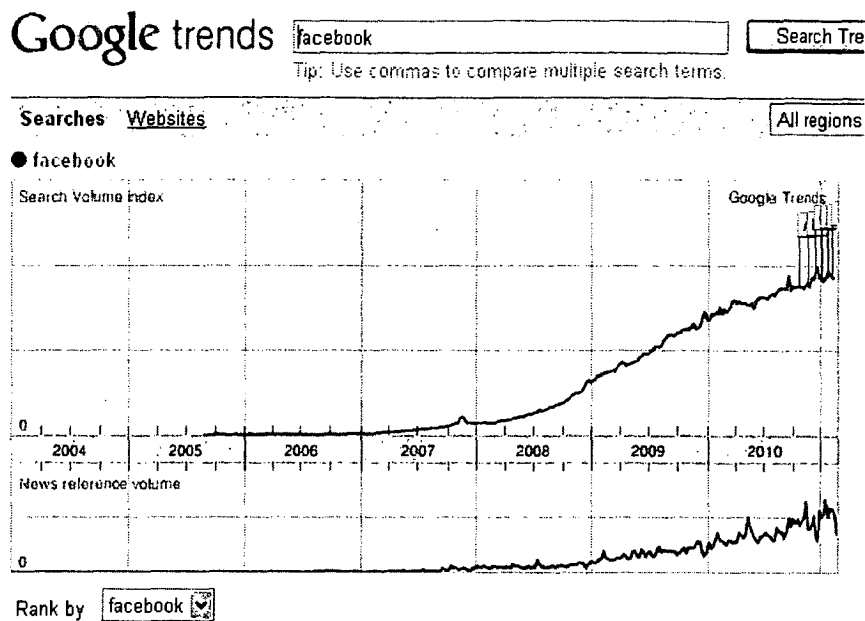


Figure 2.1 Searching of social networking

Social networking sites become increasingly useful as they accumulate more members, and have achieved phenomenal global growth in only a few years. MySpace reached 100 million users in 2006. Facebook, for its part, today counts more than 125 million users worldwide. However, it is almost impossible to keep up with the growth rates of their figures.



*Figure 2.2 Searching of Facebook*

Another website, Twitter, since its creation in March 2006 and launched in 2007, it become popular worldwide. Until September 14 2010, it has 175 million registered users, and 95 million Tweets (see Box 2.1) are written per day. And YouTube, the world biggest video-sharing website, founded and officially launched in 2005, was reported to be serving up two billion videos daily in May 2010.

### *Box 2.1 The Language of Twitter*

- The term “**Web 2.0**” was coined in the aftermath of the dot-com meltdown in 2001 when disillusionment about high-tech tulip-mania was pervasion. The Web was being radically transformed into a dynamic network harnessing creating and collective intelligence.
- **Twitter** is a website offering a social networking and micro-blogging service.
- **Tweets** are text-base posts of up to 140 characters displayed on the user’s profile page.

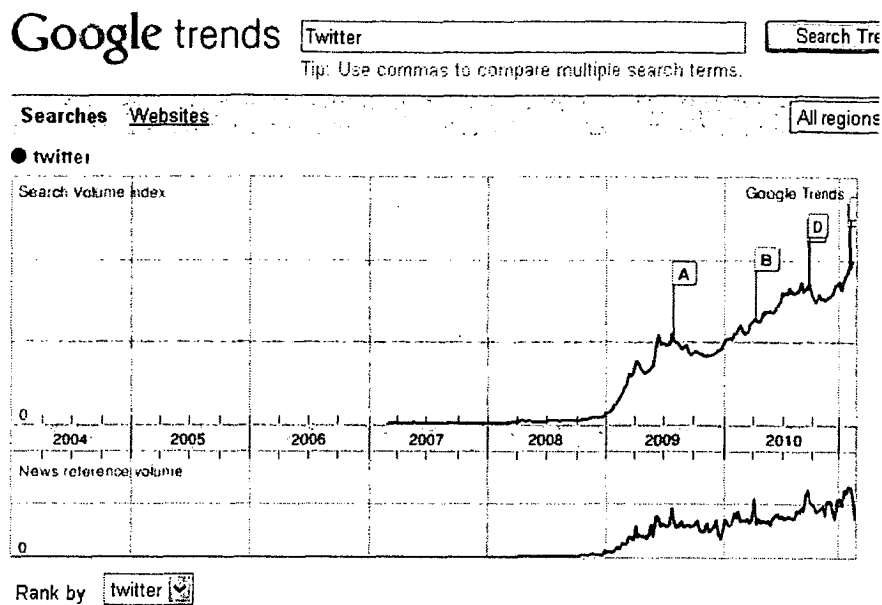


Figure 2.3 Searching of Twitter

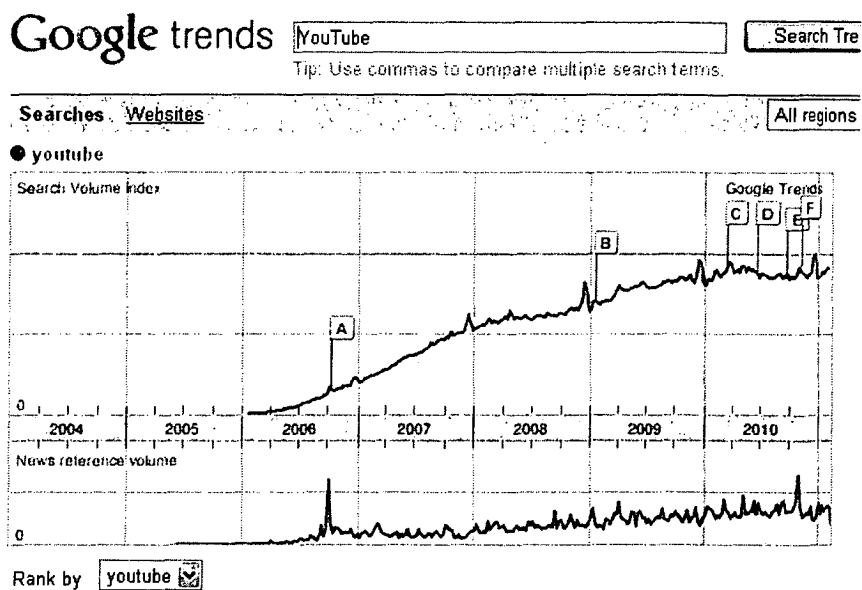


Figure 2.4 Searching of YouTube

Figure 2.1, 2.2, 2.3 and 2.4 illustrate the growth of searching rates through Google.

Although they do not show numbers of members of these most welcomed social networking sites, however, these rising rates of searching online indicate that more and more people are attracted by social networking, and are likely to join these websites and online communities.

Besides these most famous and popular website in the world, there are many other social networking sites, almost every country has its own social networking sites which are gained domestic popularity. The appeal of social networking sites cuts across national boundaries, aggregating networks representing every conceivable community, and the rise of these networking sites demonstrates the interest that people have in becoming connected to others across geographical, economic, racial, and social divides, even without a specific purpose (Fine 2006).

### **2.3 Categories of social networking**

According to Fraser and Dutta (2008), generally speaking, social networking sites can be put into five broad categories.

The first is **egocentric networks**. For instance, social networking sites like MySpace and Facebook serve as platforms for communication and “friend” networks, as virtual platforms for identity construction, and also as platforms for personal creativity and artistic expression.

The second is **community networks**. These sites aggregate members with strong identity linkages based on nation, race, religion, class, sexual orientation and so on. They generally replicate communities that already exist in the real world. For example, the BlackPlanet site for African-Americans.

The third is **opportunistic networks**. These sites are socially organized sites whose members join for rational reasons such as business connections or professional relationship.



The fourth is **passion-centric networks**, which brings together people who share interests and hobbies, such as pets, cars, movies.

Finally, **media-sharing sites** like YouTube and Flickr, which are defined not by their membership, but rather by their content. They attract people to share videos, music and photographs (Fraser and Dutta 2008).

## **2.4 Motivation and qualification for join social networking.**

Although there are varied motivations for people joining social networking sites, it is almost always social that originally leads to such behaviour (Safko and Brake 2009). Some people join specific categories of social networks for professional object, such as job opportunities, career communication; and others who joined community networks or egocentric networks may be motivated primarily by recreation and building interpersonal relationships.

Compared to the early period of social networking, today there are more motivations for people to form and join an online community. Not only social, but also with a specific aim which could be either legal or illegal, people might gather to share experiences, beliefs, ideas, and try to achieve a common goal. The newest social networking sites are becoming more multiply. Most of them are public, allowing anyone to join, while some are invitation-only (Dulworth 2008), or ask for an identity and qualification authentication before one joining it.

## **2.5 Significance and merits of social networking**

Human beings are essentially social creatures. Through personal connection in the society, most of us could achieve satisfactions, reassurances and benefits procured by competitive advantages, conferred status and material gain. Through linkages into social networks, such as contacts, connections, complicity, collaboration, conspiracies, people are constantly creating, expanding and maintaining with those around us (Fraser and Dutta 2008).

The inherent conflict between networks and institutions provides surprising insights into why social networking sites like Facebook have been so controversial (Fraser and Dutta 2008). Web 2.0 social media are perceived as threatening because they challenge core assumptions – not only about social interaction, but about organizational behaviour, corporate management and democratic governance (Fraser and Dutta 2008). The use and control of social networking is directly related to human rights, such as free expression and other civil rights. On the one hand, today there are many governments who have paid attention to social networking, especially online, and who have started to step in to help try and regulate social media (Qualman 2011), and intervene unofficially or officially. On the other hand, individuals and nongovernment organizations also use social networking to protect their rights, even as an approach against violations committed by governments. These make the effect of social networking sites changed.

In addition, new technologies like social networking sites can do much to help human rights protection because of its low risk. When exposing human rights violation by states, it is significant to cover the source of exposure, or the exposure might be interrupted by governmental officials and national security agents. Compared to traditional justice system, new communication technologies like social networking sites are much harder to trace and supervise. People can expose state's criminality by uploading photos, videos and articles without worrying about personal security.

## **2.6 International conventions**

New communication technologies are popular in a wide range of groups because of their easy use and low risk, especially online social networking. Moreover, in order to expose human rights violations and protect human rights legally, it is recommended that there also have some international conventions that people could use as references when they put exposure online.

For example, it is formulated in *Declaration on the Protection of All Persons from*

*Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (1975) (UN 1993:290):

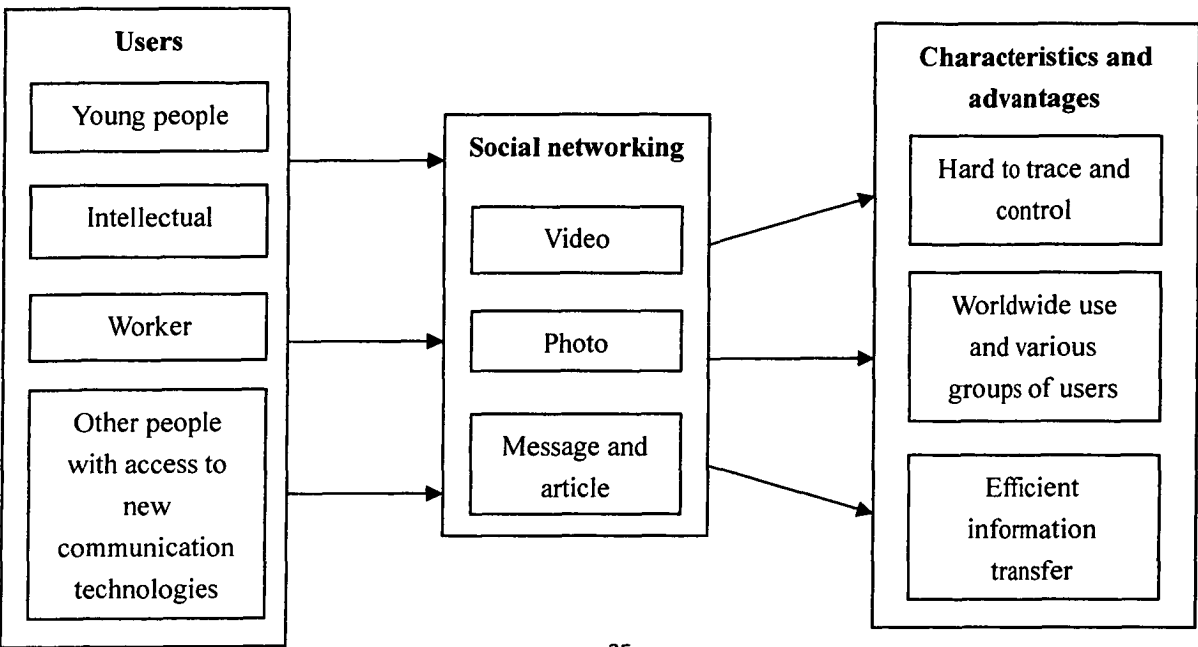
Article 8: Any person who alleges that he has been subjected to torture or other cruel, inhuman or degrading treatment or punishment by or at the instigation of a public official shall have the right to complain to, and to have his case impartially examined by, the competent authorities of the State concerned.

Article 9: wherever there is reasonable ground to believe that an act of torture as defined in article 1 has been committed, the competent authorities of the State concerned shall promptly proceed to an impartial investigation even if there has been no formal complaint.

Therefore, when expose state crimes and general actions of human rights violations online, people can refer to related conventions, making the exposure legally and protect personal safety better.

**Conclusion**

The general theoretical structure of social networking is like below:



Social networking has a huge group of users, including people from different classes, different ages, different geographic locations, different social status and people with different motivations and aims.

It can be concluded that online social networking sites are hard to control by the government and its agents. Because of this, exposure of human rights violations through videos or photos, speeches and political ideas, critique and argument against the state are hard to be traced by the state. In other words, using social networking sites to expose state crimes could strive for human rights protection, while it could also ensure the confidentiality of related identity and personal security.

The worldwide internet is one of the best sites of communication and information transfer. With the development of social networking sites, the new online society has been formed, which is changing the form of organisation. People gathering on those social networking sites could exchange ideas and perspectives toward human rights situation in different countries. Better comparison would be made between people from democratic states and people from autocratic or repressive states, in this way, both the world and people from particular states could realize the truth of human rights situation in every country. In addition, exposure on social networking sites provides evidence of state crimes and human rights violations, so that some international justice institutions would be possible to condemn particular criminal states.

Moreover, information transferred on internet timely and efficiently. On the one hand, it could effectively prove a violation before the state cover it. On the other, it is useful to attract people as soon as possible, so that some further violations could be prevented because of social reaction. One of the typical examples of using social networking sites to transfer information timely and to form protest is the Egyptian protest.

## **Chapter 3**

### **Egypt: a case study**

#### **Introduction**

On January 25<sup>th</sup> 2011, thousands of anti-government protesters, some hurling rocks and climbing atop an armoured police truck, clashed with riot police Tuesday in the centre of Cairo in a Tunisia-inspired demonstration to demand the end of Hosni Mubarak's nearly 30 years in power. The revolution suddenly happened and quickly proceeded. Information was transferred efficiently and effectively to both domestic audiences and the whole world, which provided strong supports to protesters.

However, in Egypt, discontent with life in the autocratic, police state has simmered under the surface for years. It is argued that state crimes and weak human rights protection appear to be historical problems. An obvious comparison between the long historical discontent and the rapid developing revolution arose. It is widely known that social networking sites played a key role in the whole process of the Egyptian protest. This chapter provides a background of human rights situation in Egypt, explaining various reasons of the revolution and how new technologies of communication like social networking sites and other social media affected the protest and protected human rights.

#### **3.1 History and background of human rights violation**

##### **3.1.1 *Physical violation (torture and detention)***

Egypt has a consistent history of mistreating political prisoners and activists, unreasonable detention and torture, often in the name of fighting terrorism. According to reports issued by Amnesty International in the 1990s, abuses took place in the State

Security Investigations Department (SSI) headquarters, as well as in other branches, police stations and other locations. The State Security Investigation (SSI) was the highest national investigation authority in Egypt. It is the representative of Egypt's ministry of interior. It plays the role of controlling groups and activists opposed to the government, and is widely known for its use of torture.

It is recognized worldwide that persons held for more than twenty-four hours, whether under judicial order or emergency legislation, must be transferred to recognized places of detention for interrogation. However, continued detention at SSI offices, whether for interrogation or other purposes, does not meet this requirement (HRW 2005, Vol. 17, No. 3).

Detention is especially severe when the government targets specific group. For instance, the government is continuing crackdown on the Egyptian Muslim Brotherhood, which, despite having renounced violence for decades and despite being the largest opposition bloc in parliament, remains banned in Egypt. For example, hundreds of members of the Muslim Brotherhood were detained by Egypt solely for exercising their rights to freedom of expression and association in 2007 (HRW 2007). Over the course of the past year, the government had detained more than 1,000 members of the organization. Many were held as long as eight months without ever being charged or brought to trial. Others were first acquitted by civilian courts, promptly re-arrested, and detained again pending a trial before a military court, whose procedures fall short of international standards and whose decisions could not at the time be appealed (EIPR and HRW 2007).

During the earlier period after the emergency legislation was imposed, torture had been a serious problem (HRW 2011). The current epidemic of torture in Egypt is rooted in the practices of security forces, particularly in the SSI (HRW 2011). In attempts to extract information or confessions during interrogation, or to deter what is perceived by the state as undesirable political activity, harsh treatment is applied against detainees in State Security Investigation offices (HRW 1992).

Torture in Egypt has typically been used against political dissidents. However, in recent years it has become epidemic, affecting ordinary citizens. Large numbers of citizens find themselves in police custody as suspects or in connection with criminal investigations (HRW 2004). Even those security departments despite their obligation under Egyptian and international law, the Egypt authorities do not investigate the great majority of allegations of torture (HRW 2004), and always treat the issue of torture as a sensitive topic.

### 3.1.2 *Ideology control*

The Egyptian government has violated the freedom on ideology such as basic freedoms of expression, conscious and conscience, mostly in three typical areas.

The first is academic violation. The Egyptian government interferes in the class, with the exchanging of knowledge and ideas between professors and students through a variety of censorship mechanisms. One of the major challenges to academic freedom is the restrictions on class discussion. Many professors and students described feeling direct pressure from the administration and police, like being watched by a member of the security forces who attends classes and reports on what happens (HRW 2005 Vol.17 No. 6). Besides, students face additional restrictions from their professors. There is no freedom of opinion for students. Although some professors would respect student's points of view, the majority stifle productive intellectual exchange on important subjects in Egypt's classrooms, following the intimidating atmosphere created by administrative officials and police (HRW 2005 Vol.17 No. 6).

According to the HRW Report, the Egyptian state controls the classroom through censorship of course books. State statutes restrict academic curriculum by legalizing government review of course and library books. There is almost no free access to information and ideas, which makes the learning process becomes routinized, repetitive, and restrictive (HRW 2005 Vol.17 No. 6). Categories of books are vulnerable to the official censorship in Egypt. The government authorized laws to

make interference legal, such as the Ministry of Information. Although the statute does not apply exclusively to academic literature, it facilitates state interference at the heart of the education system.

The second is religious violation. Freedom of religion and belief is in danger in Egypt because of long period of relative religious tolerance, and the government has failed to take firm measures against religious discrimination and human rights violations against minority religious. The Egypt Constitution proclaims Islam the state religion, but also guarantees to all citizens freedom of belief and freedom to practice religious rites (HRW 1994). However, this is a one-way freedom. For instance, Christians can socially and legally convert to Islam, while Muslims cannot convert legally to another faith (Ibrahim, E 2010); and Christians are being harshly treated in many ways, such as marriage with a Muslim, proselytizing Muslims or repairing churches (HRW 1994).

The third is violation of free expression. The Egypt government set legislation – the state of emergency since 1967 (Chase and Hamzawy 2006), in order to facilitate an environment to cover the abuse of fundamental human rights by authorities. This emergency legislation violates both Egypt's Constitution and its international human rights obligations, under which the arbitrary measures are adopted to silence their critics in the name of safeguarding national security (HRW 2002). More specifically, State Security Investigations (SSI) targeted and arrested bloggers and journalists and activists who criticized government policies, exposed human rights violations and corruptions, and who assert changing the current situation or revolution (WR2011). These activists usually suffer unreasonable arrested, detention and torture committed by SSI. Similarly, censorship of the press can be imposed and newspapers ordered to shut down if the authorities decide that such measures are required for reasons of national security or public safety (HRW 2002). With the emergency legislation, the government carried out custody sentences for offences such as slander, insult and libel in the media. Other rights of expression freedoms are also infringed. For instance,



workers are prohibited to strike, and the rights of public meeting and election rallies (HRW 2002).

### *3.1.3 Refugees and migrants*

There are nearly 40,000 officially recognized asylum and refugees using Egypt as a transit nation, and a huge number of unrecognized refugees in Egypt. Most of refugees are from Africa, West Asia, and Arabian Peninsula. It is realized that although asylum seekers and refugees are entitled to protection by the UNHCR, those rights in Egypt are frequently denied (Jensen 2010).

In Egypt, refugees have suffered high unemployment, rising food prices and scant support. The government does not allow refugees to work without a permit, and access to services for refugees is limited (Yoshikawa). The vast majority of refugees in Egypt are heavily dependent upon stipends from UNHCR, charitable giving from NGOs, and are unable to earn a decent livelihood (Jensen 2010). In 2008, there are about 150,000 Iraqi refugees in Egypt (BBC News 2008) who suffered a hopeless life. Since 2006, over 13,000 refugees, asylum seekers, and other migrants have passed through Egypt into Israel. Many of those who crossed the Sinai border say they fled to Israel out of desperation, unable to earn enough to meet their basic survival needs in Egypt, and sometimes violent racism threatened their personal security.

Violations of fundamental rights of refugees are serious in Egypt, have become more numerous and more acute over the past year. For example, it was known that Egyptian border police shot and beat people, who trying to cross from Egypt to Israel, to death (HRW 2008). Violence against refugees is also widespread, and usually is disregarded by police officials, and some of this violence is brought into force by those official agents.

Egypt has also refused to house refugees from countries like Eritrea and Sudan. Since 2008, Egypt refused to allow United Nations High Commissioner for Refugees

(UNHCR) access to Eritreans in detention, many of whom military tribunals had sentenced to between one and three years in prison for illegally entering the country from Sudan. The Government forcibly returned Eritrean and Sudanese nationals and detainees to their home countries, where they could face persecution and a substantial risk of torture, without allowing them to claim asylum or despite their asylum status.

#### *3.1.4 Government corruption*

Corruption threatens the integrity of markets, undermines fair competition, distorts resource allocation, destroys public trust, and undermines the rule of law. It is an impediment to economic growth, and a significant challenge for developed, emerging and developing countries (G20 2010). It is recognized that corruption is a widespread social phenomenon that makes Egypt an unbearable place to live. Government officials, Mubarak families, and other department in Egypt have a long history of corruption. The Egypt's anticorruption campaign, initiated in 2002, is government controlled, lacking substantive input from civil society groups, and the central auditing agency lacks implementing power for its recommendations (Kelly, Walker and Dizard 2008).

In Egypt, citizens are focused on the issues of unemployment, the fight against poverty, financial corruption and political reform. A strategic study done by the Al Ahram Center involves research about government transparency and combating corruption. It showed that about 28.5% of Egyptians believe that the recent rise in commodity prices is a manifestation of systemic corruption. The increase is widening the gap between rich and poor, creating a lack of discipline in government and fostering ill-treatment of citizens (Bikyamasr 2010). It is government corruption which is thought to result in poverty.

It is clear that opposition to Mubarak's rule stems from Egyptians angered by the corruption and economic hardship that they face. Global Financial Integrity (GFI) is a non-profit, research and advocacy organisation located in Washington, DC. It

advocates and conducts research on national and multilateral policies, safeguards, and agreement aimed at curtailing illicit financial flows and enhancing global development and security. According to Curcio, an economist at Global Financial Integrity (GFI), Egypt's GDP per capita in 2009 was US\$2,270. However, data indicated that, indeed, the average Egyptian faces great and increasing economic hardship. In 2006, 2007, and 2008, Egypt's GDP jumped into the hundred billion ranges annually. As this growth occurred, illicit flows peaked at US\$ 10.0 billion, US\$ 13.6 billion, and US\$ 7.4 billion; respectively. Those engaging in corrupt and criminal activity were certainly getting their cut of the country's growth (Global Financial Integrity 2011).

#### *3.1.5 Autocratic governance*

The Egyptian system of government is in a period of transition. The former President Hosni Mubarak had inherited a complex legacy from the Nasser and Sadat eras. Egypt under Nasser sought to advance political ideas like Arab nationalism, which, however, became a cover for legitimating an autocratic regime and justifying its monopoly on power. Although the liberalisation has been required for a long time, the Presidency remains dominant in the governance, including economic or political matters (Tripp & Owen 1989). The bureaucracy has never showed other than to be restrictive and constraining, and never intending to cease. Furthermore, the government keeps the function of 'control' functions while neglects its advocated developmental and welfare functions. It is also known that the Egyptian government waste too much where it is least needed and cost too little where it is needed most (Tripp & Owen 1989).

It is recognized that Egypt has been in a Pharaonic autocracy with a predatory leadership (Collier 2011). In other words, Egypt is a presidential state. Owing to political culture and legal traditions, the President is the dominant political and governmental authority in Egypt. Any important polity or project must normally have the "blessing" of the President before it can proceed with a reasonable prospect of

success. Presidential powers include the right to propose, veto and promulgate legislation (Tripp & Owen 1989).

The military was assigned the role of patrolling Egypt by Abdul Nasser, who believed that only the military could successfully reform, govern, and strengthen Egypt (Perlmutter 1981). It is said that the system in Egypt is protected by mugs that are responsible for people's security. However, the people can neither fight mugs nor change the system, and the one who threat people's daily life and security are most likely to be the security institutions (Rakha 2010). The wide-ranging and extensive powers given to the security authorities under the state of emergency enables them to arrest at will people suspected of being a threat to national security and public order. Such persons can be held in detention without charge for prolonged periods.

In Egypt, extremist Islamic opposition groups have engaged in numerous acts of political violence. In these incidents, members of the security forces and civilians have been killed and seriously wounded. The government has sometimes argued that the real perpetrators of human rights violations have been the extremist groups, usually referred to as terrorists by the government (Chase and Hamzawy 2006). According to the emergency legislation, individuals who are suspected of involvement in activities that thought to be harmful to national security could be detained without charge or trial by the president or his designated agent. It provides the trial of those suspects no appeal, and verdicts on them must be ratified by the president. Under the emergency legislation, tens of thousands of Egyptians have been detained without charge or trial since 1981 (Chase and Hamzawy 2006). The government even intensified its repressive power especially in response to political violence. Beside, according to the Anti-Terrorism Law (1992) (Ramraj, Hor and Roach 2005), it is possible for the president of the republic, or his representative, to refer civilians accused of terrorism for trial before military courts.

### **3.2 Current main social conflicts in Egypt**

### *3.2.1 Egyptian state repression*

The repression against political opponents is widely committed by security agencies in Egypt. The government also covers abuse, murder and assault committed by agencies against civilians. Besides state-sponsored violence, the Egyptian autocratic government also has high pressed control upon the society and civil rights, such as free speech, media control and repression, state emergency and so on.

The Egyptian Organisation for Human Rights (EOHR) reported the situation of human right in Egypt annually. For example, it previously found that during the first 25 years of Hosni Mubarak's regime, the number of prisons grew more than fourfold and that the number of detainees held for more than one year without charge or indictment grew to more than 20,000, and there also was a huge number of security police forces making Egypt become a police state (Ibrahim 2007). According to the annual report 2010, the human right situation in Egypt seems almost the same with the previous years. As Table 1 clarifies, there were various subjects of complaints of human rights violations in 2009. In those complaints, the majority were about economical and social rights, which included the right to work, the right to education, the right to health, the right to a clean environment, the right to drinkable water and the right to adequate housing. Besides, most other complaints were on the violations of civil and political rights, including rights to life and personal security

Table 3.1

*Distribution of complaints according to the rights subject of violations of 2009 in Egypt (EOHR 2010):*

Compliant type	No.	Percentage
Shelve complaints	156	2.8%
Complaints of economical and social rights	3812	69.3%
Complaints of Egyptians abroad	100	1.8%
Complaints of arrest	113	2%
Complaints of detaining	160	2.9%
Complaints of the prisoners treatment	530	9.65%
Complaints of torture	63	1.14%
Complaints of the right of freedom of opinion and expression	32	0.58%
Complaints of oppression	215	3.9%
Complaints of disappearances	20	0.36%
Complaints of strike	173	3.1%
Death	14	0.35%
Collective punishment	10	0.28%
Sit-in	102	1.8%
Total	5500	100%

Source: The Egyptian Organisation for Human Rights 2010

These complaints were the sign of social conflict between Egyptians and their government, and the Egyptian government can be characterized as a repressive state as a consequence of actions that resulted in these complaints. It is obvious that those human rights violations in Egypt fit Cohen, White and Perrone's state crime theory, while the repression committed by Mubarak government is obviously a crime that fits

Penny Green and Tony Ward's definition of state crime.

In addition, according to White and Perrone (2010), state crime can also be defined as harms that are deliberate, and involve conscious intervention by the state to achieve certain military or national security ends, or national interests. In order to achieve such national or personal interest, abuse of power, internment of 'ethnic minority' citizens, dissemination of false or misleading information by state agencies, targeted state killing and group sanctions would be committed in repressive state. For example, the Mubarak's regime banned opposition group the Muslim Brotherhood, and it continued harassment and arrest of Brotherhood leaders and members. Similar situation also happened to political and democracy activists and researchers. It is also known that the Emergency Law in Egypt was ostensibly protecting national security and 'national interest' while it was actually suspended civil rights and freedom, such as the rights of circumscribed non-governmental political activity, demonstrations or organisations or other non-political activities.

### *3.2.2 State corruption in Egypt*

Egypt is also clearly a typical corrupt state. A nation-wide survey conducted in mid-2009 by the Cairo-based Al-Ahram Centre for Political and Strategic Studies found that 47% of small and medium businesses in Egypt are forced to offer government clerks continually cash bribes, and it found local government to be the most corrupt (Miller 2010). The study showed that corruption has become a culture in Egypt. In addition, a report by Transparency International also found that overbearing nature of the Egyptian state to be the main cause of silencing civilian voices and thereby depriving citizens of means to hold government officials accountable (Miller 2010).

According to the report, although many institutions and mechanisms in Egypt had strong intentions to set rules and regulations which seek to prevent corruption in the country, corruption is perceived to be on the increase (TI 2009). A report by Egypt's

National Integrity System (NIS) assessed the performance of mainstays of the Egyptian governance system, including systems, departments and organisations, and the findings showed that major corruption loopholes were in the country's governance system (TI 2009). Major corrupt problems include the wide spread phenomena of conflict of interest, political interference in the work of anti-corruption agencies, lack of effective and well-functioning mechanisms, weak enforcement of laws and regulations, ineffective voter registration and controlled election system and so on (TI 2009).

In conclusion, Egypt can be labelled as corrupt state, because its criminality was virtually its defining feature. It is recognized that the serious governmental corruption is one of the most important reasons for poverty and low-level living of Egyptians, which directly result in the biggest protest against the state.

### **3.3 The impact of social networking on of Egyptian Protest.**

Social media, especially social networking site has quickly become one of the most influential factors in grassroots socio-political mobilization across the globe. The January 25 Egyptian Revolution gained a major foothold with the application of social media tools like Facebook and Twitter. Since the existence of social networking, individuals have used it to demand more governmental transparency and mobilize allies.

#### **3.3.1 *The impact of social networking before Egyptian protest***

The role of social media, especially social networking sites in protests and revolutions has garnered considerable media attention in recent years. Current conventional wisdom has it that social networks have made regime change easier to organize and execute (Papic and Noonan 2011).

According to the project of the centre for the study of American Government which called CampaignsOnline.org, now the websites continue to get more sophisticated as



technology advances. Campaign sites have evolved and are more than just an online brochure (Rice 2004).

Three years ago, an activist started the April 6 Movement page on Facebook, which has drawn in more than 140,000 members until now to concern with issues like free speech, poverty and frustration with the government. It was aiming to support striking workers (Gaudin 2011).

In 2008, it should be noted that a general strike and civil revolt in Egypt, which was called the April 6 Youth Movement, was also organized via the internet, by email, Facebook and Twitter. It was a time when a series of strikes and labour actions by textile workers in Mahalla led to a growing general strike by workers and residents and then, it faced a brutal crackdown by security forces (Dreyfuss 2011). The next day of the movement, it was reported that numerous Facebook and Twitter accounts in Egypt had been shut down.

Another famous issue was that, in 2010, an activist blogger named Khaled Said, was allegedly beaten to death by police under the emergency legislation. This issue attracted a lot of people, gathering on social networking site, arguing about the police brutality and autocratic governance. It is widely argued that he was a victim killed by a flawed constitution (Rakha 2010).

Egyptian activists weren't simply looking for people to "like" their protest pages or to give people a place to vent their frustrations. They used social networking sites to engage people – to motivate them into action, not just online but in the real world (Gaudin 2011).

### *3.3.2 Social networking in the process of Egyptian protest*

Since 2008, Facebook activists have been calling for strikes and sit-ins to protest rising inflation and chronic authoritarianism (Sande 2011). The wave of nation-wide protests was at least in part made possible by the organizers' use of Facebook to keep

the protesters abreast of the latest happenings and fan the flames with videos of hurt demonstrators. These made the whole process of mobility virtual and visualized to the whole world. It is realized that the internet is what has brought people together in this protest (Alazar 2011).

In the whole process of the Egyptian protest, there was a distinct goal but no clear leader. Activists and protesters used social network services to arrange protests and expose governmental and military responses to the unrest. It is said that online activism, such as the popular Facebook groups, was an integral part of the overall effort. But this is not enough; protesters have to come up with a new way to combine online and street activism by issuing a very traditional protest and make use of the nation's oldest social network (Giglio 2011).

#### *3.3.2.1 Social networking and the initiate of the protest*

The demonstration was organized primarily using Facebook pages, beginning with the "We Are All Said Khaled" page, started by Wael Ghonim. It is generally acknowledged that Ghonim's Facebook page and Twitter first sparked the protests (CBS 2011). Another page called for revolution against torture, poverty, corruption and unemployment in Egypt also has been launched by the administrators of the demonstration page, which devoted to spreading word of the protest (Yehoshua 2011). The aims of the demonstration and methods were set out by the organizer on social networking sites like Facebook. It is also showed that the protest on Facebook was not related to any political party or movement, and the strike was spontaneous. It explained that the demonstration was not planned by political or popular force (Yehoshua 2011).

Egyptian social networking sites called for a mass rally in the capital Cairo. Inspired by the successful revolution that had taken in Tunisia, many Egyptians launched the protest on 25 January 2011. It was aimed against the autocratic regime and too low level of living (SMM 2011). They posted photos, videos and messages on the internet,

showed the world what happened in Egypt. For example, a 45 years old veteran activist named Salah, called family and friends through his usual network to hit the street, and posted updates on the Web. However, he was disappeared and thought to be arrested by police until the night before the protest (Giglio 2011).

Ever since the chaos and anti-government protest started, protestors were eager to remain updated in all of the extremely fluid situations. Even after the internet being cut off and the cell phone blockage since Jan. 28 to Feb. 3, companies and non-government organizations helped to solve problems of communication with the rest of the world. For example, the Google Inc. has launched a voice service with the popular social networking site Twitter. With its help, people in Egypt were allowed to call phone numbers with a signal “tweet”, and then the voice mail would be translated to an audio file for others (Gilligan 2011). This was the first time that leading Internet search engines and social media combined forces amid widespread upheaval to keep information flowing despite state efforts to contain it and shape the public narrative (Joudeh 2011). Moreover, the landline was never blocked during the protest, so that Egyptians found another way to access the internet, which was through old school landlines dial-up internet service and fax service. Egyptians living outside Egypt would receive faxes, use Optical Character Recognition (OCR) technologies to convert the fax image into text contents, and post the contents, news and updates into Facebook, Twitter and blogs (Osam 2011).

### *3.3.2.2 Attitude from the government*

A handful of transnational human rights activists, translators and bloggers used Facebook, Twitter, chat rooms and other social network platform to relay messages from protestors, journalists and human rights activists to further the grassroots social mobilization while allowing the world to witness step exactly what was going on inside Egypt (Poster 2011). Aware of the significant impact of social networks, the government attempted to disable social networking communication by shutting off the internet and text messages, but it was unsuccessful.

After the internet and cell phones across Egypt have been cut off by the government, while several social networking sites were blocked, people continued to use social networking despite the Egyptian authorities through communication on Twitter (Sande 2011). It is suggested that opponents of the Mubarak regime were gathering prior to a return to the square in the centre of the city. The action of disabling social networks, including internet and mobile phones, made people aware that the government was scared of the impact of social networks. So that opposite to what the government wanted, the situation was not under control but been rightfully calculated as a golden opportunity to change the regime.

#### *3.3.2.3 Additional effect of social networking*

Social media makes social organization easier and effective (Poster 2011). Social media used by Egyptian protestors brought together individuals who shared common goals and ideas, but also offered a medium for planning. In the case of Egypt, social media forced the government to take accountability. Transnational social networks made it very difficult for governments to lie and hide from their citizens. As January's events have shown the world, social networks interconnect individuals creating a transnational network armed with information (Poster 2011).

The rare public protests against the Egyptian government were organized using social networking sites such as Facebook and had called for a Tunisia-style uprising (Alazar 2011). In recent years, there also have been a growing number of young Egyptians who used the social networking sites as a platform to speak out their political and economic grievances.

However, in the process of the Egyptian protest, social media, especially social networking sites had some additional effect. Generally speaking, the most important impact on promoting the protest was that, the truth had been exaggerated, which made more people treat it as a chance, and gathered to support the protest. According to an Egyptian student named Sam Tadors, things beneath what had been showed to the

world were different.

*The social media tools had given people something that they had lacked previously, an independent means of communication and propaganda. Hundreds of thousands of young Egyptians in a matter of minutes were seeing the demonstration videos being uploaded on YouTube. For an apolitical generation that had never shown interest in such events the demonstration was unprecedented. More remarkable they were tremendously exaggerated. At a moment when no more than 500 demonstrators had started gathering in that early morning, an Egyptian opposition leader could confidently tweet that he was leading 100,000 in Tahrir Square. (Tadros 2011)*

People believed the alternative propaganda, twitter messages and the Facebook postings because they wanted to believe them. As Tunisia broke the barriers and set a good example, Egyptians followed. It showed Egyptians that, it is not the situation and ruling formula that mattered, and perceptions were more important than reality. So that while there were only 15,000 demonstrating in Cairo, Egyptians were already texting each other and sending information on social networking sites with a much greater achievement (Tadros 2011). The fake in social networking encouraged more Egyptians, especially from the younger group to join or hold on the protest and in some degree it led to the final result.

### **3.3.3 Social networking and its continuing impact after Egyptian protest**

#### *3.3.3.1 Understanding the role of social networking*

First the Tunisia, then the Egypt revolution, the internet, especially social networking site proved its power, showing it is a place to organize and inform easily. It makes the possibilities endless.

Many have said that Twitter and Facebook allowed protestors in Egypt, Tunisia, and

elsewhere to organize and push their cause forward. But as many pointed out, after Egypt government cut off access to the Internet and even mobile phone, the protests continued and in some cases grew, so some questioned how big an impact social networks, especially websites like Twitter and Facebook really had.

According to professor Garth Stephenson at Brock University, these worldwide social networking sites are useful tools for communication between people inside and outside Egypt. It is also important for other nations to be aware of the actions performed by other governments, so that they know when they can step in or help out (Gilligan 2011). These social networking sites are efficient and effective in transferring the latest news.

When thinking about the role and status of these social networking sites, the Twitter's chief executive, Dick Costolo said, Twitter has seen a "dramatic" increase in the number of sign-ups from people in North Africa and the Middle East since the very beginning of the protest. Ultimately, however, he said that "it's not just us; we're probably a very, very small piece of the puzzle." all they care about is ensuring that they're instantly connecting people to whatever is meaningful to them (Albanesius 2011). Thus, according to Hafez Mirazi, a journalist and director of the Kamal Afham Centre for Journalism Training and Research, people would try to transcend borders to get their message across, social networking sites like Facebook and Twitter allows power of assembly, which people were deprived of by the government (Abdoun 2011).

With the evidence from Cairo and Tunis, it is suggested that social networking sites and the whole internet have tilted the balance of power from autocrats to the street, the open access to information has exposed the unaccountable government and despairing poverty, and stimulate people to gather and speak out, in order to protect their human rights.

### *3.3.3.2 Defined Facebook Revolution*

After the success of the Egyptian protest, a new problem has showed up. It is hard to define the so called “Facebook Revolution”. The movement’s origins online was mostly because everyone has a right to post a comment. However, after the revolution, the group on Facebook tried applying similar principles to meetings, giving everyone who attended time to “speak”, which ended up with little consensus (Wan 2011).

It is suggested that the group might become a political party or organisation. However, if the protest group on Facebook would be defined in this way, then it will change the social networking protest into a political movement, which is far from its origin.

Another reason for that the Facebook revolution could not be defined as a political organisational movement is that, the social networking site is hard to be defined as either an organization, or a group. It is firstly a common source for news and information and mostly for those under 40, middle-class and above, who use it to stay abreast of latest topics of discussion among their social network. In other words, one of the most important characteristics of social networking sites is that their users are limited in age group, which is not appropriate for a normal organisation.

#### *3.3.3.3 Reaction towards social networking.*

Following the spirit of the revolution, there have been many calls on the media and on the social networking sites as well. For instance, many Egyptians called people to help rebuild the city on the Facebook and Twitter voluntarily, such as clean up the streets and squares, painting the street pavements and decorating the street fences by wall paintings (Serag 2011).

After the protest, the military junta, which called the Supreme Council of the Armed Forces (المسلحة للقوات الأعلى للمجلس الرسمية الصفحة), the address is [http://www.facebook.com/Egyptian.Armed.Forces?sk=app\\_4949752878](http://www.facebook.com/Egyptian.Armed.Forces?sk=app_4949752878)), has launched a Facebook page to further communication between the people of Egypt and the government. Until May 31<sup>st</sup> 2011, the page has attracted more than 1,088,000

participants. As a governmental Facebook page, this page has extremely high traffic, which is a symbol of how highly social networking sites are valued by Egyptians, especially the young group (Ungerleider 2011), and this social networking site has been treated as part of the fruitful cooperation which would lead to the security and stability for Egypt.

Moreover, because of the impact that social networking sites had on those events happened in North Africa and Middle East, it is highlighted to the world how they are increasingly involved in charged political conflicts, balancing between protecting freedom of expression and defending against hate speech (CYTALK 2011).

### **3.4 Independent social media and its impact in Egypt**

It can be seen that Egyptians have sought out more neutral sources of information, especially young people. They are increasingly fluent in alternative media, such as social networking sites like YouTube, Facebook and Twitter. Moreover, they are also searching for information from the newly emerging independent newspapers that suffered under the former regime, and are also seen as one of the reasons behind the Egypt protest (Diab 2011).

With recent issues, not only social networking sites, but also other Egypt's media have seen a push towards liberalisation and privatisation. During the protest, the Egypt government tried to disable the communication and social networks. Most government controlled website, media and mobile communication were shut down or limited, so that people got to know what happened mostly through independent social media inside and outside the country, like international or regional magazines, newspapers and their websites.

Independent social media in Egypt are mostly worldwide media. According to the report by The Arabic Network for Human Rights Information (ANHRI 2010), some figures of social media are as below:



*Number of registered journalists at the syndicate: 5500*

*Licensed newspapers and magazines: 160*

*E-papers and e-magazines: 63*

It is known that licensing of newspapers was controlled by the government, and the diversity of newspapers, magazines, journals, and other periodicals in Egypt disguised the government's role as a media owner and sponsor. The state directly operates 80% of the media (Oxford Business Group 2010). As it is the sole owner of print and distribution rights nationwide, a majority of print outlets and 99 percent of newspaper retail outlets were in the hands of the state (FH 2010). The government supported state media directly, thus independent media faced significant financial and political challenges. For example, AL-Badeel, one of the independent media, closed in 2009 for financial reasons.

Besides newspapers and magazines, television is also an important part of social media for information transferring. In Egypt, there are 8 television broadcasters owned and operated by the government. However, there are also four privately owned, independent satellite channels and several pan-Arab stations that attract wide viewership (FH 2010).

Independent newspaper and TV stations have worked to make the most of this situation, reporting on controversial topics and criticising powerful interests. For instance, Al Dostor is a daily independent newspaper published in Egypt with Arabic – language. It contains articles and news items that typically expose corruption and negative aspects in the Egyptian society. Another example is *Daily News Egypt*, which is the only independent English – language daily (Oxford Business Group 2010). One of the most quoted sources in the media in Egypt is Al Jazeera, which is always willing to broadcast dissenting views. It reported the whole progress and details of the Egypt protest despite the government limiting many other social media. Another

multiple – language site, Cairolive.com, is also quietly working from the sidelines. It is known as one of the Egyptian news and views portals, and has attracted a large number of readers. It also utilizes the power of the internet to bring communities closer together.

According to Dalia Mogahed, who is from the Gallup Centre for Muslim Studies, the media contributed to the Middle East uprisings, including events in Tunisia and Egypt. She said that the uniting power of global media helped the whole world feel they were in Tahrir Square, and the collaborative power of social media contributed to the uprisings, noting that it is the fearlessness of the people that created this changing (Abdoun 2011).

## **Conclusion**

The study of Egypt shows the human rights situation in one country. Other examples are countries in North Africa and Middle East, such as Libya, Tunisia and so on. In these countries, social conflicts are both obvious and concealed. They are obvious because of the widely known long history of inner state violations of human rights. They are also concealed because states and governmental officials usually covered up these violations, and repressed protests and human rights protectors, so that there rarely has enough evidence to prove the criminal behaviour of the state through traditional justice systems.

The experience of Egyptian revolution provided a good example of using new communication technologies including independent social media to protect people's human rights. The social networking was proved to be a much safer and more efficient method to expose human rights violation. The exposure through social networking sites can be done by any user, not just by professionals in criminal justice systems or other human rights organisations and protectors. By this means, the public in general became more positive towards human rights protection, and have had more chances to protect their political and civil rights more effectively.

## **Chapter 4**

### **Theoretical interpretation and conclusion**

#### **Introduction**

This chapter is an overall analysis of perspectives combining discussion of human rights, state crimes and new communication technology. It provides a whole picture of the thesis, making the theoretical structure more clear.

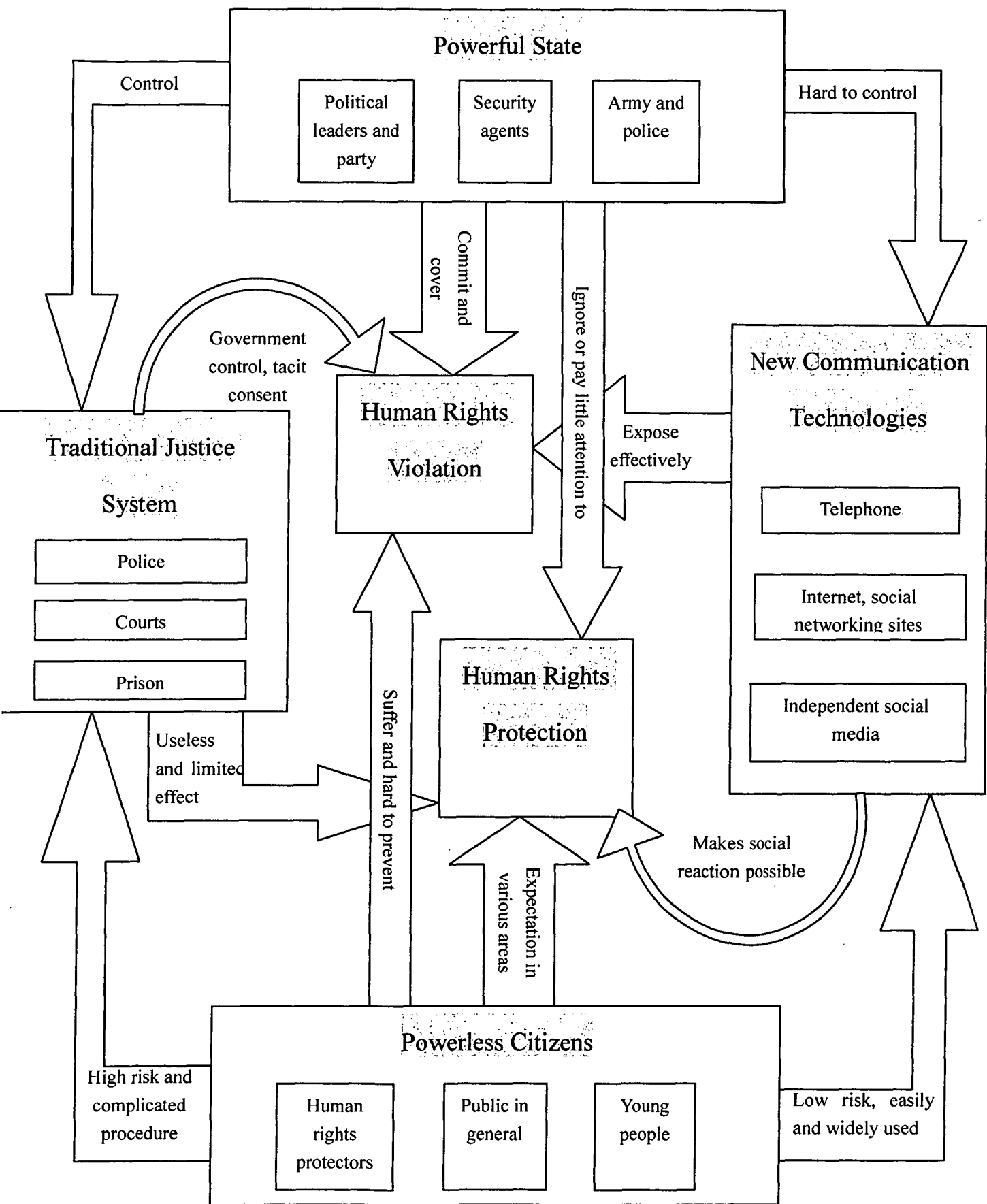
#### **4.1 Theoretical interpretation**

Theories previously discussed have examined the issue of human rights in relation to state criminality. In state crimes, general human rights that been violated are like rights of life, rights of personal security, other civil rights and political rights. Criminologists hold different definitions of state crimes.

Combining with developing social perspectives, it has been argued that the theory from Ward and Green which considers social reaction as a criterion of defining state criminality came to be effective in practice. The one who intends to protect human rights is changing from the state to its people themselves. Therefore, it is not only international institutions like the United Nations that paid attention to general human rights protection, but also people from particular countries who try to expose state crimes and human rights violations in order to achieve social justice.

The essential elements of the study can be combined in the form of the diagram below:

A Relation Schema of Human Rights, State Criminality and Social Networks



The diagram presents an overall theoretical structure of the relationship among human rights, state crimes and communication technologies.

According to theories argued above, several implications can be concluded in this diagram.

- The key issue is **human rights**, which includes two key opposite aspects: human rights violation and human rights protection.

It is understood that the existence of **human rights** helps secure the peace, deter aggression, promote the rule of law, combat crime and corruption, strengthen democracies, and prevent humanitarian crises (Sharma 2001). As Stanley Cohen said, the human rights issue is at the centre of criminology (Cohen 2009). However, the worst atrocities of the 20<sup>th</sup> century were committed by governments, often against their own people. The worldwide historical issue showed up to be especially serious in some states argued above, such as repressive states and corrupt states. The state is recognised as the one that violate human rights, while it has the power to cover criminal behaviours and violations. Human rights violations are usually involved in state crimes. Such crimes could include those against citizens' personal security, inner-state public order, public property and national security and sovereignty of other countries.

Compared to the attitude towards violations, the states usually pay less attention to human rights protection. Domestic legislation, which is usually formed by the state, is less likely to regulate the state's behaviours. Meanwhile, the justice system is controlled by the dominant class, and also seems to be helpless whenever the state or the leader class try to protect their own interests.

- The first two opposite roles in this diagram are **the state** and its **citizens**.

**The powerful state** stands for the dominant group that controls a country, which includes individuals, organisations and institutions. Individuals in the dominant group refer to people in charge of the authority. It is suggested that authority is exercised by three types of decision units: leaders, groups, and coalitions (Hermann and Preston 2002). Therefore, this category includes the leader of the state, his party, and allies that are leading and controlling the government.

Organisations and institutions in the powerful group are mostly government controlled, such as social justice institutions and department of justice including courts, prisons, military and other types of enforcement agencies, including police and other national security agencies. In most countries, especially repressive and autocratic ones, the responsibility of punishing human rights violations and crimes and protecting human rights belongs to the department of justice and national security agencies and institutions. However, it is noted that the perspective that the state should be responsible for crime control has been overdeveloped in respect to crimes committed by the state itself. Coercion happens when the state is covering its criminal behaviours. Moreover, the state is also obviously powerful in controlling information transference, so that when human rights violations are committed, it usually covers the crime.

In the contrast, **citizens** are less powerful than the state. The public in general, including young people, women and older groups are all thought to be socially vulnerable groups. These people are facing more possibility of suffering human rights violations.

One thing that needs to be mentioned is that there is usually a small group of human rights protectors in the public domain that are not totally powerless. Besides the state, the expectation of human rights protection is more likely to be achieved by human rights protectors. This group includes individuals and non-governmental organisations, which is against the state and has power and social impact to some extent. Non-state actors, such as human rights NGOs, have significant influences on the international

scene. If gross violations of human rights happened, human rights groups and protectors sometimes are more reliable than governments (Claude and Weston 2006).

- The other two opposite items are **traditional justice systems** and **new communication technologies**.

**The traditional justice system** includes justice institutions, national and local department of justice, courts, police, and prisons and so on. It is usually government controlled in most states, and it represents the power and authority of the state. There are three most important characteristics of the traditional justice system.

First, it always follows legislations when judging behaviour. The legislation can be national and domestic ones and a few international conventions as well. Most of the legislation is formed by the state and its departments. In other words, what behaviours would be punished are defined in the legislation that is formed by the state. The state and its criminal justice systems should have the responsibility of human rights protection. For instance, the criminal law should be seen not in its usual restricted, liberal terms but as a guarantee of certain basic human rights (Cohen 2009). However, in a criminal state, if the state intends to cover a human rights violation, there always are some loopholes in legislation that the traditional justice system could follow, that make the violation legal or tacit. Meanwhile, international conventions, such as the Universal Declaration of Human Rights, cannot solve the problems of humanity simply by its existence on paper. Set down on paper, these international conventions represent only the vision and hope of those who proclaimed it (Sharma 2002), but have no actual constraint upon states.

The second characteristic of the traditional justice systems is that related information transfers quickly while it also can be controlled easily. This is also one of the most important reasons that traditional justice systems could cover the state's abuse. The traditional justice system is more likely to judge a crime on the basis of the intention of the state or governmental officials, and to protect their interests.

Moreover, the traditional justice system usually has a complicated procedure for establishing a case in order to start the investigation. The procedure makes it hard for ordinary members of the public to protect human rights efficiently and effectively. On the one hand, the complicated procedure slows down the speed of exposing the violation, making it easier for the government to delay the protest. On the other hand, citizens who indict the state or its officials and expose the violation or criminal behaviour would face a high risk of arrested or being threatened by the state, especially in some repressive states, criminal states and autocratic states that are likely to cover the violation. In other words, exposing human rights violations through the traditional systems in some particular states could result in the crisis of personal security. So that it is common that general citizens would keep silent even when they witness violations committed by the state and its governmental officials.

Compared with traditional systems, it can be concluded that **new communication technologies**, such as social networking, telephone and independent social media, are better methods for the public to expose human rights violations.

The first merit of such communication technologies is they are usually easily used, while they transfer information efficiently. For instance, when people witness a human rights violation, they can upload photos and videos to social networking sites and any other public websites as soon as possible by telephones, computers or any equipment that could connect and access the internet. Rather than waiting for the complicated procedures in traditional justice systems, the simple procedure for exposure may prevent potential human rights violations.

Second, the new communication technology is recognised as worldwide used, especially the internet. Various and a large number of groups and classes of people from different national and language backgrounds have an increasing number of opportunities to interact online (Kelsey 2010). Meanwhile, with the increasing prevalent and consequential human rights issues, it becomes a significant method for the public to transfer information. Particularly, the social networking has become a



social, political, and category within which ordinary social actors, human rights protectors and public in general pursue and expose human rights issues (Goodale and Merry 2007). In addition, the social networking sites attract different groups of users, and young people take an important part. It is noted that underlying their ultimate participation goal, young people are seen as citizens who need socialization in order to learn to participate fully and emerge as wholly formed citizens, and communication via the internet is a logical route to take given the technological skills of this age group (Ward 2008). As a result, the new technology increases the rate of young people who care about issues of politics, economic, and human rights and so on.

Moreover, compared to traditional justice systems, people face lower risk when exposing state crimes and protest through social networking. Because of the technology, any information on the internet is hard to be controlled by the government. Thus, the worldwide and unlimited internet offers a space for people to express their ideas and share their experience freely. So that it makes the real social reaction towards human rights violations possible. In the meantime, the whole world could receive true evidence of human rights situation in particular countries, so that international institutions and human rights protectors could make strategies to protect basic human rights, and condemn criminal behaviours in those states.

- The six key items are interacted.

According to the analysis above, theoretical relationships can be concluded as below:

The powerful state and its components are the one that commit human rights violations in order to gain interests, while powerless citizens including human rights protectors are more likely to suffer from violations that are committed by the state; the human rights protection is usually expected by the public but is ignored or denied by the state and its agencies.

The traditional system is controlled by the state, so that if citizens want to protect their rights through this way, they have to through a slow and complicated procedure while they are possible to meet high risk of being threatened by the state. So the traditional system seems to be helpless or just to have limited effect on human rights protection, but more likely to tacitly consent to human rights violations committed by the state instead.

In the contrast, new communication technologies such as social networking are hard for the state to control, while it is easier and safer for the public to use. Therefore, these technologies help to expose human rights violations more effectively. In this way, it makes social reaction for human rights protection possible and shows the state criminality evidently to the whole world.

## **4.2 Conclusion**

This thesis has aimed at contributing to an introduction to the main concepts and explanation of human rights, state criminality and social networking. The nature and causes of state crime involving human rights violation have been explored, and the impact of social networking on human rights protection has been analysed.

As it has been argued above, the state can deny human rights and commit violations in different fields. Varied state criminal activities and behaviours have been explored, and theories of identifying state crimes have been reviewed, especially the social reaction towards state behaviour. The human rights issue involved in state crimes requires better methods of exposure and protection, and the experience of the Egyptian revolution testifies to the fact that new communication technologies such as online social networking have great value in protecting human rights against the state.

It is noted that normalization blocks exposure until opposite social forces become stronger (Cohen 2001), and media reporting of human rights violation break the wall

of ideological normalization. Thus, the use of social networking is the typical representative of the increasing social reaction towards human rights.

It was also demonstrated by those successful protests that new technologies such as social networking not only affect people's attitude towards their political and civil rights, but also have an impact on the new structure of social organisation. The online society has become a new and effective communication form for almost every group of people.

Another implied effect that social networking might achieve is the dispersal of social control, which follows the attempt to break up centralized concentrations of exclusionary power. It might draw new populations, such as minority groups, old and young people into the orbit of social control, and protect their basic human rights. The whole society should strive to match people's expectation of preventing human rights violations.

It is my hope to better clarify the alternative ways of human rights protection. In this way, I hope people could better realize that everyone should have the responsibilities and rights towards their own rights, no matter in which kind of state regime. Therefore, social harms such as state crimes can be better supervised and controlled, and more democratic society could be built in the future.

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